

# WEST VIRGINIA LEGISLATURE

## 2018 REGULAR SESSION

Introduced

### House Bill 4370

FISCAL  
NOTE

BY DELEGATE, SOBONYA, C. MILLER, C. ROMINE, FRICH,

BUTLER, ROWAN, WARD AND HOUSEHOLDER

[Introduced January 31, 2018; Referred  
to the Committee on the Judiciary then Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §51-1-23, relating to requiring the West Virginia Supreme Court of Appeals to  
 3 maintain a searchable, criminal database containing copies of all arrests and convictions  
 4 by all the courts in the state.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 1. SUPREME COURT OF APPEALS.**

**§51-1-23. Authority to maintain criminal database.**

1 (a) The West Virginia Supreme Court of Appeals shall maintain a searchable, criminal  
 2 database containing copies of all arrests and convictions by all the courts in the state.

3 (b) The database shall include, but not be limited to, name, date of arrest, offense, plea or  
 4 jury trial, sentence, discharge, probation, and type of crime.

5 (c) The Division of Corrections, the State Police, the county sheriffs, municipal police  
 6 departments, regional jails, circuit clerks, and judges and magistrates may assist and cooperate  
 7 with the Supreme Court in any manner the court considers necessary.

8 (d) The database may be accessed and used by any law-enforcement agency in the state.

9 (e) The database shall be implemented by October 1, 2019.

NOTE: The purpose of this bill is to require the West Virginia Supreme Court of Appeals to maintain a searchable, criminal database containing copies of all arrests and convictions by all the courts in the state.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.